

6/6/2005

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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Diandre McNeill, pro se,

Plaintiff,

ORDER

-against-

05-CV-328 (DLI)(LB)

Home Depot USA, Inc.,

Defendant.

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DORA L. IRIZARRY, U.S. District Judge:

It appearing that no objections have been filed to the Report and Recommendation of the Honorable Lois Bloom, U.S.M.J., dated June 8, 2005; and

Upon consideration, the Report and Recommendation is hereby adopted in full. Accordingly, it is hereby

ORDERED that defendant's motion to dismiss is denied.

The Court notes that plaintiff filed an Amended Complaint on June 22, 2005 that substantially complies with the instructions in Magistrate Judge Bloom's Report and Recommendation, even though plaintiff did not use the Court's form employment discrimination complaint. It is hereby

ORDERED that plaintiff's Amended Complaint is accepted for filing, and it is further hereby

ORDERED that defendant is directed to respond to plaintiff's Amended Complaint accordingly.

ORDERED that service of a copy of this Order shall be made by the Clerk of this Court by forwarding a copy hereof to all parties.

DATED: Brooklyn, New York
 July 1, 2005

DORA L. IRIZARRY
United States District Judge

C/M